

LAW OFFICES

CATALANO & PLACHE, PLLC3221 M Street, N.W.
Washington, DC 20007Telephone (202) 338-3200
Facsimile (202) 338-1700

ORIGINAL

November 10, 2004

RECEIVED

NOV 12 2004

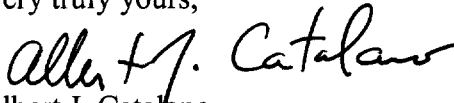
FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARYMarlene H. Dortch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street, S.W.
Washington, DC 20554Re: *Ex Parte* Notice, Federal-State Joint Board on Universal Service;
CC Docket No. 96-45

Dear Secretary Dortch:

Pursuant to Section 1.1206 of the rules of the Federal Communications Commission ("Commission"), 47 CFR § 1.1206, this letter provides notice that on November 9, 2004, Donald Manning, Vice President, Secretary and General Counsel of NPCR, Inc. and Nextel Partners of Upstate New York, Inc. (collectively, "Nextel Partners"), along with Albert J. Catalano and Matthew J. Plache of Catalano & Plache, PLLC, counsel to Nextel Partners, met with Commissioner Kathleen Q. Abernathy and Matthew Brill, Senior Legal Advisor to Commissioner Abernathy. At the meeting, the attendees discussed the Rural Local Exchange Carriers' ("Rural LECS") Application for Review of the Bureau's Order in the above-referenced proceeding designating Nextel Partners as an Eligible Telecommunications Carrier (ETC) in seven states. We discussed the issues raised in the Application for Review and the procedural deficiencies of the Rural LECs' arguments as discussed in Nextel Partners' Opposition to the Application for Review and Motion to Strike the Rural LECs' Reply to Opposition. We discussed the difficulty in staying the Bureau's Order in light of the finality of other ETC designation orders.

In addition, we discussed the maps submitted by TDS Telecom ("TDS") in the course of recent *ex parte* communications and discussed Nextel Partners' advertising and its commitment to provide the ETC supported services within the study areas in which Nextel Partners has in fact been designated as an ETC, noting that Nextel Partners has not been designated in many of the study areas depicted on the TDS maps.

Very truly yours,


Albert J. CatalanoCc: Commissioner Kathleen Q. Abernathy
Matthew Brill, Senior Legal Advisor to Commissioner AbernathyNo. of Copies rec'd 013
List ABCDE